

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TONIC WEAR, INC., a California corporation,

Plaintiff,

v.

RLI INSURANCE COMPANY, an Illinois corporation; BRAD WEEKLY, an Oregon resident,

Defendant.

Case No. 05-CV-3484 EDL **MODIFIED**

JOINT SECOND STIPULATION AND
~~[PROPOSED]~~ ORDER RE BRIEFING
SCHEDULE ON BRAD WEEKLY MOTION
TO DISMISS

Calendared Hearing Date: May 23, 2006
Time: 2:00 p.m.
Judge Elizabeth Laporte
First Stipulation Filed: April 25, 2006

This Second Stipulation is made pursuant to Local Rule and in lieu of Motion and entered by and between TONIC WEAR, INC., Plaintiff, by and through its attorney Gregory Alan Rutchik, Liner Yankelevitz Sunshine & Regenstreif LLP ("TONIC") and BRAD WEEKLY, Defendant, by and through its counsel, David Helbraun, Helbraun Law Firm ("WEEKLY") as follows:

WHEREAS, the Court issued an Order on April 25, 2006 pursuant to the parties' first stipulation regarding the limited discovery related to, the briefing schedule of and the hearing date ("Order") of that WEEKLY Motion to Dismiss ("WEEKLY MTD").

The Order set the dates as follows:

Depositions of WEEKLY and of Kirk Thornby	Within Two Weeks of Order
TONIC Opposition to WEEKLY MTD	May 15, 2006
WEEKLY Reply	May 19, 2006
Hearing on WEEKLY MTD	May 30, 2006 at 2:00 p.m.

WHEREAS, the parties in contemplation of the requirements of such Order and the realities of counsel and client calendars hereby request the Court and stipulate to reset such dates as follows:

Depositions of WEEKLY and of Kirk Thornby	By and including June 1, 2006
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1	TONIC Opposition to WEEKLY MTD	June 13, 2006 June 12, 2006
2	WEEKLY Reply	June 20, 2006 June 16, 2006
3	Hearing on WEEKLY MTD	June 27, 2006 at 2:00 p.m. or as soon thereafter as the Court may calendar 9:00 a.m.

5 The parties' stipulate that all other terms of the Order shall remain in tact provided that such
6 depositions, due to their limit in scope, shall not count against the time permitted under the Federal
7 Rules of Civil Procedure to the taking of deposition testimony.

8 SO STIPULATED.

9 DATED: May 1, 2006

HELBRAUN LAW FIRM

/s/

11 DAVID M. HELBRAUN, ESQ.
12 Attorneys Specially Appearing for Defendant
13 BRAD WEEKLY

14 DATED: May 1, 2006

LINER YANKELEVITZ SUNSHINE &
REGENSTREIF LLP

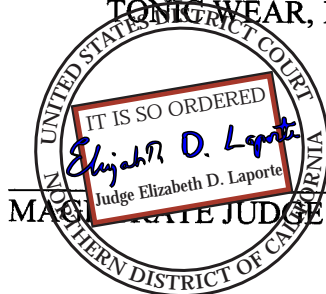
/s/

17 GREGORY ALAN RUTCHIK, ESQ.
18 Attorneys for Plaintiff
19 TONIC WEAR, INC.

19 IT IS SO ORDERED.

20 DATED: April __, 2006

21 May 1, 2006



21 MAJESTY JUDGE ELIZABETH LAPORTE